

Panaji, 24th December, 1992 (Pausa 3, 1914)

SERIES I No. 39

## OFFICIAL



## GAZETTE

## GOVERNMENT OF GOA

## GOVERNMENT OF GOA

Department of Personnel

## Notification

1/28/86-PER

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, and in supersession of the existing recruitment rules for the posts, the Governor of Goa hereby makes the following rules relating to recruitment to the Group 'C' Non-Ministerial, Non-Gazetted posts in the Computer Centre, Government of Goa, namely:—

## 1. Short title, application and commencement. —

(1) These rules may be called the Government of Goa, Computer Centre, Group 'C' Non-Ministerial, Non-Gazetted posts, Recruitment Rules, 1992.

(2) *Application:* These rules shall apply to the posts specified in Column 1 of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of publication in the Official Gazette.

2. Number, classification and scales of pay. — The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in Columns 2 to 4 of the said Schedule:

Provided that the Government may vary the number of posts in Column 2 of the said Schedule from time to time subject to exigencies of work.

3. Method of recruitment, age limit and other qualifications. — The method of recruitment to the

said posts, age limit, qualifications and other matters connected therewith shall be as specified in Columns 5 to 13 of the said Schedule.

4. Disqualification. — No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may if satisfied that such marriage is permissible under the personal Law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Power to relax. — Where the Government is of the opinion, that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing relax any of the provisions of these rules with respect to any class or category of persons.

6. Saving. — Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes, and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

By order and in the name of the Governor of Goa.

S. V. Shirodkar, Under Secretary (Personnel).

Panaji, 10th December, 1992.

## SCHEDULE

Name/ Designation of post	Number of posts	Classi- fication	Scale of pay	Whether Selection post or non- Selection post	Age limit for direct recruits	Whether the benefit of added years of service is admissi- ble under Rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age & edu- cational qualifica- tions pres- cribed for the direct recruits will apply in the case of promotees	Period of pro- bation if any	Method of recruitment whe- ther by direct recruitment or by promotion or by deputation/trans- fer/contract and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputa- tion/transfer, grades from which promo- tion/deputation/ transfer is to be made	If a D.P.C. exists, what is its com- position	Circums- tances in which Goa Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
A. C. Opera- tor- cum- -Mecha- nic.	1 (1992) sub- ject to varia- tion depen- dant on work- -load.	Group 'C' Non- -Minis- terial, Non- -Gazet- ted.	Rs. 1320- 30-1560- -EB-40- -2040.	Selec- tion.	30 years and below (Relaxable for Govern- ment servants).	—	<i>Essential:</i> 1) S.S.C. or equivalent. 2) I.T.I. Certificate in the trade of Refrige- ration and Air-Conditioning from recogni- sed Institute. 3) Two years experience in Refrigeration and Air-Conditioning and electrical work.  <i>Desirable:</i> Knowledge of Konkani and/or Marathi.	N. A.	Two years	By direct recruit- ment.	N. A.	Group 'C' D.P.C.	N. A.

## Education Department

## Notification

8/3/92-EDN (Sports)

## The Sports Authority of Goa

## Sport Lottery Rules

1. *Short title and commencement.* — (1) These rules may be called the Sports Authority of Goa Sports Lottery Rules.

(2) They shall come into force with effect from the date of their publication by notification in the Official Gazette by the Government.

2. *Definitions.* — Unless there is anything repugnant in the subject or context, the terms used in these rules are defined as:

(i) "Chairman" means the Chairman of Governing Council of the Sports Authority of Goa;

(ii) "Council" means the Governing Council of the Sports Authority of Goa;

(iii) "Executive Director" means the Executive Director of Sports Authority of Goa;

(iv) "Government" means the Government of Goa;

(v) "SAG" means the Sports Authority of Goa.

3. *Issue of tickets.* — (1) The SAG shall operate three types of draws as detailed below:

(a) Mini-draw to be held fortnightly preferably in the third week of the month as per the date fixed by the Council.

(b) Monthly draws to be held in the first week of the month. Maximum 6 draws in a year shall be held during the months when the special draws are not introduced.

(c) Special draws to be held on occasion of important festivals 6 times at a maximum in a year in the month of festival instead of monthly draws in those months.

(2) The Chairman shall fix from time to time, the number of tickets to be issued in case of each draw and the number of series in which they are to be issued.

(3) The tickets for Mini draws shall be issued in denomination of two rupees per ticket and total number of tickets printed shall not exceed 2,00,000 in five series. The tickets for monthly draw shall be issued in denomination of three rupees per ticket and total number of tickets shall not exceed 2,50,000 in five series.

The tickets for special draw shall be issued in the denomination of rupees five per ticket and total number of tickets printed shall not exceed 3,00,000 in five series. The Council shall be competent to effect changes in the scheme.

4. *Appointment of Agent.* — (i) Any individual, company, firm or society registered under Societies Registration Act, 1860 desiring to be appointed as

Lottery Agent shall apply to the Executive Director on Form SAG-L-1.

(ii) The Executive Director, after satisfying himself of the bonafides and financial stability of the individual or the firm desiring to act as agent, shall with the approval of the Chairman select such individuals or firms to act as agents and allot a quota of lottery tickets taking into account the financial capacity, area to be covered etc. by the agent. The Executive Director shall have the power to increase or reduce the quota allotted to each agent.

(iii) The individual or firm selected to be agents shall execute an agreement in the form SAG-L-2. The individuals or firms thus selected shall have to pay a security deposit of five percent of the total value allotted. While computing, the total value of tickets of special issue shall be considered.

(iv) The Executive Director shall appoint agent by issuing an appointment certificate in Form SAG-L-3.

(v) The agent shall produce the appointment letter as and when asked for by the Executive Director or by his representative.

(vi) The Executive Director shall be empowered to terminate the agency with the approval of the Chairman if in his opinion, it is found that the agent is not fulfilling the conditions stipulated in the agreement and included in these rules.

5. *Sale of Lottery Tickets.* — (i) The lottery tickets shall be made available to the Public through the authorised agents specifically appointed under rule 4(iv) of these rules.

(ii) The tickets shall be sold at the treasury of the Sports Authority of Goa Corporate Office, Indoor Stadium, Campal Panaji.

(iii) Each agent shall lift the quota of tickets allotted to him in not more than three instalments. The last instalment shall be lifted not later than two days before the date of draw.

(iv) If for any reason, any agent fails to purchase the quota of tickets allotted in full before the time-limit fixed under sub-rule (iii) above, the Executive Director shall be free to distribute the tickets to any other agent, institution or public. If such instances are repeated, he shall be liable for termination of his agency and the security deposit shall be forfeited in favour of the Sports Authority of Goa. The Executive Director shall exercise his discretionary powers in deserving cases.

(v) The Executive Director with the approval of the Council may fix a quota of lottery tickets allotted to disabled sports persons and sports institutions.

6. *Mode of payment for sale of Lotteries.* — The lottery tickets shall be sold to agents against payment in cash or demand draft in favour of the Executive Director on any bank payable at Panaji. The lottery tickets once sold are not returnable.

7. *Draws.* — (i) The draws of the lottery will be held at Indoor Stadium Complex, Campal, Panaji or any other place as decided by the Chairman at the time and the date specified on the ticket. In

case of change of date specified on the ticket the same shall be given wide publicity in the local newspaper. The venue of draw shall also be given wide publicity.

(ii) The lottery draw shall be held in public in the presence of a panel constituted of the following members:—

- (1) The Chairman — Chairman.
- (2) The Executive Director — Vice-Chairman.
- (3) Director of State Lotteries or his representative — Member.
- (4) Director of Sports and Youth Affairs or his representative — Member.
- (5) Collector of South/North Goa or his representative — Member.
- (6) S. P. of South/North Goa or his representative — Member.
- (7) Under Secretary incharge of Sports & Youth Affairs in the Secretariat or his representative — Member.
- (8) Administrative cum Accounts Officer of SAG — Member Secretary.

In the absence of the Chairman, the Vice-Chairman or any Officer designated by the Vice-Chairman shall act as the Chairman of the panel. The quorum of the panel shall consist of not less than three members. The members attending draw shall be eligible to get Rs. 100/- as honorarium per draw.

(iii) The procedure for the draw shall be as follows:

There shall be a machine containing six drums in a row. The drums shall bear the following identification labels:

I	II	III	IV	V	VI
Series	Ten Thousand	Thousand	Hundred	Tens	Units

The first drum shall contain the balls engraved with the Prize amount and the series. The remaining drums will have the balls with the required number of digits based on the number of tickets printed in each series of the Mini, monthly and special draw say Mini 1 to 3, monthly 1 to 4 and special draw 1 to 5, and draw will commence with operation of all these draws simultaneously. When the Authority supervising the draw rings the bell, the drums will be rotated for 10 to 15 seconds, so that the balls inside will be shuffled. When the Authority for supervising the draw, rings the bell again, the drums will be halted. On halting of the drum, the lever will be pulled-up by one member of the draw committee so that one ball from each drum will fall out simultaneously. The series from drum No. 1 and the numbers from drum No. 2 to 6 will be arranged on the board from left to right in the same sequence and that will constitute the prize winning number for particular amount and series. This procedure will continue till all the prizes as shown in the plan are exhausted. The draw for the first

prize shall be held first. The termination prize for the last one digit, last two digits and last three digits and consolation prize will be based on the number of the ticket claiming the first prize.

8. *Prizes.*— (i) The prize structure for Mini draw monthly and special draw will be more than 50% of the total cost of the lottery tickets printed, as decided by the Council. (Prize structure proposed for Mini-draw monthly and special draw tentatively is detailed in Annexure 'A'). The first prize or second prize or other prizes may be in cash and/or kind as decided by the Council.

(ii) The value of the first prize shall be printed on front side of every ticket. The value of other prizes including the consolation prizes will be given on the overleaf of the ticket.

(iii) No ticket will be eligible for more than one prize in a draw. In the event of more than one prize being won by a ticket holder, the ticket holder shall be entitled to the highest prize won by the ticket.

(iv) The tickets if any remaining unsold with the SAG shall not be entitled for prizes, such tickets shall be listed and sealed before the start of the draw.

(v) Prizes will be paid at the Treasury of SAG, Indoor Stadium Complex, Campal, Panaji, against the production of Prize winning tickets after ascertaining the genuineness of the tickets. The prizes shall be claimed in the Form SAG-L-5. In case of the first prize, the winner shall make an application supported by prize winning ticket and a passport size photo, alongwith the undertaking that he has not won any prizes during the financial year.

(vi) A ticket which is torn or mutilated shall not be entitled for any prize. The Executive Director shall however, use his discretion in certain cases based on merits.

(vii) Prizes can be claimed within three months from the date of draw. The Executive Director shall use his discretionary powers and extend this period by one month, if in his opinion, he finds that some circumstances beyond control prevented the claimant from claiming the prizes within three months. The prizes shall not be paid after four months.

9. *Commission to Agents.*— (i) The lottery agent appointed under rule 4(iv) of these rules, shall be entitled for a commission of eighteen percent of the value of the ticket purchased. The Council shall determine and if necessary, revise the quantum of commission from time to time. The lottery ticket may be sold for net value below face value instead of paying commission.

10. *Bonus to agent.*— (i) The agent who had purchased from the treasury of the SAG, the lottery tickets which won the first to fifth prize, shall be paid bonus to the extent of two and half percent of the value of the prizes. The bonus shall be claimed by the agent in Form SAG-L-4.

(ii) The Council shall be competent to revise the quantum of bonus from time to time.

11. *Interpretation of the rules.*— If any question arises as regards to the interpretation of these rules or any other matter not expressly provided in these

rules, the matter shall be referred to the Council and the decision of the Council shall be final and binding on all concerned.

By order and in the name of the Governor of Goa.

S. S. Keshkamat, Under Secretary (Education).

Panaji, 27th November, 1992.

#### ANNEXURE "A"

Sports Authority of Goa

#### Sport Lottery Rules

#### I. PLAN FOR MINI SPORTS LOTTERY

(To be taken in the third week of every month)

Total No. of tickets be printed for sale  
Series Five (A to E) ... .. Rs. 2,00,000/-

Face Value of each ticket: Rs. 2/- sold  
at Rs. 1.64 per ticket.

on the tickets printed for sale

Total Value ... .. Rs. 3,28,000/-

#### Prizes:

1st Prize (1) (common to all five series)	Rs. 1,00,000/-
4 consolation prizes of Rs. 1000/- each	Rs. 4,000/-
2nd Prize (5) (one in each series)	
Rs. 1000/- each	Rs. 5,000/-
3rd Prize (15) (3 in each series)	
Rs. 200/- each	Rs. 3,000/-
4th Prize (15) (3 in each series)	
Rs. 100/- each	Rs. 1,500/-
5th Prize (25) (5 in each series)	
Rs. 50/- each	Rs. 1,250/-
195 Prizes of Rs. 30/- each (3 digits)	Rs. 5,850/-
1800 Prizes of Rs. 10/- each (2 digits)	Rs. 18,000/-
18000 Prizes of Rs. 5/- each (one digit)	Rs. 90,000/-
Total value of Prizes	Rs. 2,28,600/-

Bonus to the Agent @	
2.5% of 1st Prize	Rs. 2,500/-
Cost of Printing including	
paper	Rs. 25,000/-
Collection charges @ 2%	Rs. 2,572/-
Draw Allowances	Rs. 800/-
Publicity	Rs. 2,000/-
	Rs. 32,872/-
	Rs. 32,872/-
	Rs. 2,61,472/-

Net Profit ... .. Rs. 66,528/-

#### II. PLAN FOR MONTHLY LOTTERY:

(To be taken in the first week of every month for 6 months in a year)

Total No. of Tickets ... .. Rs. 2,50,000.00

No. of Series (A to E) ..... 5

Face value of the ticket: Rs. 3/- sold at  
Rs. 2.46 per ticket ... .. Rs. 6,15,000.00

#### Prizes:

1st Prize (1) (common to all series)	Rs. 2,00,000.00
(in cash or kind or both)	
4 consolation Prizes of Rs. 2500/-	Rs. 10,000.00
2nd Prize (5) (One in each series)	
Rs. 2000/-	Rs. 10,000.00
3rd Prize (10) (Two in each series)	
Rs. 1000/-	Rs. 10,000.00
4th Prize (15) (Three in each series)	
Rs. 500/-	Rs. 7,500.00

5th Prize (25) (Five in each series)	
Rs. 250/-	Rs. 6,250.00
250 Prizes of Rs. 50/- for last three digits	Rs. 12,500.00
2250 Prizes of Rs. 10/- for last two digits	Rs. 22,500.00
22500 Prizes of Rs. 5/- for last one digit	Rs. 1,12,500.00
	Rs. 3,91,250.00

Bonus to Agents @	
2.5% of 1st Prize	Rs. 5,000.00
Cost of Printing of tickets	Rs. 30,000.00
Collection charges @ 2%	Rs. 3,825.00
Draw Allowance	Rs. 800.00
Publicity	Rs. 3,000.00
	Rs. 42,625.00
	Rs. 42,625.00
	Rs. 4,33,875.00
Net Profit	Rs. 1,81,125.00

#### III. PLAN FOR SPECIAL LOTTERY.

(To be taken on festive occasions in the months 6 times in a year excluding the months selected for monthly draws)

Total No. of tickets

No. of Series — 5 (A to E) ... .. Rs. 3,00,000.00

Face value of each ticket: Rs. 5/- sold  
at Rs. 4/- per ticket.

Total Value ... .. Rs. 12,00,000.00

#### Prizes:

First Prize (1) (Common to all series)	Rs. 5,00,000.00
(in cash or kind)	
4 consolation prizes @ Rs. 5000.00	Rs. 20,000.00
2nd Prize (5) (One each series)	
Rs. 5000/-	Rs. 25,000.00
3rd Prize (15) (Three each series)	
Rs. 2000/-	Rs. 30,000.00
4th Prize (25) (Five each series)	
Rs. 1000/-	Rs. 25,000.00
5th Prize (50) (Ten per series)	
Rs. 500/-	Rs. 25,000.00
300 Prizes of Rs. 50/- each for last 3 digits	Rs. 15,000.00
2700 Prizes of Rs. 10/- each to last 2 digits	Rs. 27,000.00
2700 Prizes of Rs. 5/- each for last 1 digit	Rs. 1,35,000.00
	Rs. 8,02,000.00

Bonus to agents 1st Prize	Rs. 12,500.00
Cost of Printing tickets	Rs. 35,000.00
Collection charges @ 2%	Rs. 6,040.00
Draw Allowance	Rs. 800.00
Publicity	Rs. 5,000.00
	Rs. 59,340.00
	Rs. 59,340.00
	Rs. 8,61,340.00
Net Profit	Rs. 3,38,660.00
Mini-draw 12 × Rs. 66,528.00	Rs. 7,98,336.00
Monthly draw 6 × Rs. 1,81,125.00	Rs. 10,86,750.00
Special draw 6 × Rs. 3,38,660.00	Rs. 20,31,960.00
	Rs. 39,17,046.00

Even if 50% of the above income is gain, the total income may be to the tune of Rs. 20.00 lakhs.



Law (Legal and Legislative Affairs) Department

**Notification**

10-2-92/LA

The Appropriation (No. 4) Act, 1992 (Central Act 33 of 1992) which has been passed by Parliament and assented to by the President of India on 24-8-1992 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 25-8-1992, is hereby published for the general information of the public.

P. V. Kadnekar Under Secretary (Drafting).

Panaji, 4th November, 1992.

The Appropriation (No. 4) Act, 1992

**AN  
ACT**

*to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1992-93.*

**THE SCHEDULE**

(See sections 2 and 3)

1 No. of Vote	2 Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
6	Department of Fertilizers ... .. Capital	..	11,24,00,000	11,24,00,000
54	Department of Small Scale Industries and Agro and Rural Industries ... .. Revenue	..	3,00,000	3,00,000
83	Atomic Energy ... .. Capital	..	82,00,000	82,00,000
87	Department of Space ... .. Revenue	..	6,00,000	6,00,000
	Total ... ..	..	12,15,00,000	12,15,00,000

**Notification**

10-2-92/LA

The Appropriation (Railways) No. 4 Act, 1992 (Central Act 30 of 1992) which has been passed by Parliament and assented to by the President of India on 19-8-1992 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 20-8-1992, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 9th November, 1992.

The Appropriation (Railways) No. 4 Act, 1992

**AN  
ACT**

*to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial*

Be it enacted by Parliament in the Forty-third Year of the Republic of India as follows: —

1. *Short title.*—This Act may be called the Appropriation (No. 4) Act, 1992.

2. *Issue of Rs. 12,15,00,000 out of the Consolidated Fund of India for the year 1992-93.*—From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of twelve crores and fifteen lakh rupees towards defraying the several charges which will come in course of payment during the financial year 1992-93, in respect of the services specified in column 2 of the Schedule.

3. *Appropriation.*—The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

*year ended on the 31st day of March, 1989 in excess of the amounts granted for those services and for that year.*

Be it enacted by Parliament in the Forty-third Year of the Republic of India as follows: —

1. *Short title.*—This Act may be called the Appropriation (Railways) No. 4 Act, 1992.

2. *Issue of Rs. 104,97,37,001 out of the Consolidated Fund of India to meet certain expenditure for the financial year ended on the 31st day of March, 1989.*—From and out of the Consolidated Fund of India the sums specified in column 3 of the Schedule amounting in the aggregate to the sum of one hundred and four crores, ninety-seven lakhs, thirty-seven thousand and one rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services relating to Railways specified in column 2 of the Schedule during the financial year ended on the 31st day of March, 1989, in excess of the amounts granted for those services and for that year.

3. *Appropriation.* — The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of India under this Act shall be deemed to have been appropriated for

the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1989.

## THE SCHEDULE

(See sections 2 and 3)

No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
3	General Superintendence and Services on Railways ...	..	1,17,047	1,17,047
4	Repairs and Maintenance of Permanent Way and Works	..	49,17,665	49,17,665
7	Repairs and Maintenance of Plant and Equipment ...	..	42,347	42,347
9	Operating Expenses — Traffic ... ..	..	61,807	61,807
10	Operating Expenses — Fuel ... ..	3,82,74,306	..	3,82,74,306
11	Staff Welfare and Amenities ... ..	..	55,110	55,110
13	Provident Fund, Pension and other Retirement Benefits	93,30,34,414	..	93,30,34,414
16	Assets — Acquisition, Construction and Replacement —			
	<i>Other Expenditure</i>			
	Railway Funds ... ..	7,32,34,305	..	7,32,34,305
	<b>Total</b> ... ..	<b>104,45,43,025</b>	<b>51,93,976</b>	<b>104,97,37,001</b>

## Notification

10-2-92/LA

The Foreign Exchange Conservation (Travel) Tax Abolition Act, 1992 (Central Act 28 of 1992), which has been passed by Parliament and assented to by the President of India on 18-8-1992 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 18-8-1992, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 13th November, 1992.

## The Foreign Exchange Conservation (Travel) Tax Abolition Act, 1992

AN

ACT

further to amend the Finance Act, 1987.

Be it enacted by Parliament in the Forty-third Year of the Republic of India as follows:—

1. *Short title and commencement.* — (1) This Act may be called the Foreign Exchange Conservation (Travel) Tax Abolition Act, 1992.

(2) It shall be deemed to have come into force on the 1st day of June, 1992.

2. *Omission of Chapter V of Finance Act, 1987.* — Chapter V of the Finance Act, 1987 (hereinafter referred to as the principal Act), relating to the Foreign Exchange Conservation (Travel) Tax, shall be omitted.

11 of 1987.

3. *Repeal and saving.* — (1) The Foreign Exchange Conservation (Travel) Tax Abolition Ordinance, 1992 is hereby repealed.

Ord. 8  
of 1992.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

## Notification

10-2-92/LA

The Indian Ports (Amendment) Act, 1992 (Central Act 23 of 1992) which has been passed by Parliament and assented to by the President of India on 12-8-1992 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 13-8-1992, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 11th November, 1992.

## The Indian Ports (Amendment) Act, 1992

AN

ACT

further to amend the Indian Ports Act, 1908.

Be it enacted by Parliament in the Forty-third year of the Republic of India as follows:—

1. *Short title and commencement.* — (1) This Act may be called the Indian Ports (Amendment) Act, 1992.

(2) The provisions of this Act, except section 2, shall come into force at once and section 2 shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 3.* — In section 3 of the Indian Ports Act, 1908 15 of 1908. (hereinafter referred to as the principal Act), —

(a) for clause (6), the following clause shall be substituted, namely: —

“(6) “ton” means a ton as determined or determinable by the rules made under section 74 of the Merchant Shipping Act, 1958, for regulating the measurement of the gross tonnage of ships:” 44 of 1958.

(b) in clause (8), the word “and” shall be inserted at the end.

3. *Amendment of section 14.* — In section 14 of the principal Act, —

(a) for sub-section (1), the following sub-sections shall be substituted, namely: —

“(1) If any vessel is wrecked, stranded or sunk in any port in such a manner as to impede or likely to impede any navigation thereof, the conservator shall give notice to the owner of the vessel to raise, remove or destroy the vessel within such period as may be specified in the notice and to furnish such adequate security to the satisfaction of the conservator to ensure that the vessel shall be raised, removed or destroyed within the said period:

Provided that the conservator may extend such period to such further period as he may consider necessary having regard to the circumstances of such case and the extent of its impediment to navigation.

(1A) Where the owner of any vessel to whom a notice has been issued under sub-section (1) fails to raise, remove or destroy such vessel within the period specified in the notice or the extended period or fails to furnish the security required of him, the conservator may cause the vessel to be raised, removed or destroyed.

(1B) Notwithstanding anything contained in the foregoing sub-sections, if the conservator is of the opinion that any vessel which is wrecked, stranded or sunk in any port is required to be immediately raised, removed or destroyed for the purpose of uninterrupted navigation in such port, he may, without giving any notice under sub-section (1), cause the vessel to be raised, removed or destroyed.”;

(b) in sub-section (2), —

(i) for the words, brackets and figure “under sub-section (1)”, the words, brackets, figures and letters “under sub-section (1A) or sub-section (1B)” shall be substituted;

(ii) for the words “two months”, the words “thirty days” shall be substituted.

4. *Amendment of section 21.* — In section 21 of the principal Act, —

(a) in sub-section (2), for the words “five hundred rupees”, the words “five lakh rupees” shall be substituted;

(b) in sub-section (3), for the words “two months”, the words “one year and to fine which may extend to five lakh rupees” shall be substituted.

5. *Amendment of section 33.* — In section 33 of the principal Act, in sub-section (5), for the words “sixty days”, the words “thirty days” shall be substituted.

6. *Amendment of section 36.* — In section 36 of the principal Act, in sub-section (5a), after the words “subject to this Act”, the brackets and words “(other than a major port)” shall be inserted.

7. *Amendment of section 42.* — In section 42 of the principal Act, the following proviso shall be inserted at the end, namely: —

“Provided that where such vessel or other thing is already arrested under the order of a court or other authority, the authority appointed to receive port-dues, fees or other charges, may sell the vessel or other thing only with the prior permission of such court or other authority and satisfy the port-dues, fees or other charges and the costs including costs of sale remaining unpaid, and disburse the surplus, if any, in accordance with the orders or directions of such court or other authority:

Provided further that the person to whom the vessel or other thing is sold under this section shall be deemed to be the owner thereof and registered as such under the Merchant Shipping Act, 1958.”.

44 of 1958.

8. *Amendment of Act 38 of 1963.* — In the Major Port Trusts Act, 1963, —

(a) in section 87, the words, brackets, figure and letter “excluding all fees and all fines and penalties creditable to the pilotage account of the port under sub-section (5a) of that section” shall be omitted;

(b) section 89 shall be omitted;

(c) in section 97, the words, brackets, figure and letter “, not being works the cost of which is chargeable to the pilotage account of the port under sub-section (5b) of that section,” shall be omitted.

Legislature Department

LA/B/4812/1991

The following Bill which was introduced in the Legislative Assembly of Goa on 16-12-1992 is hereby published for general information in pursuance of



the provisions of Rule-136 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

Panaji, 17th December, 1992.

**The Goa Public Moneys (Recovery of Dues) (Amendment) Bill, 1992**

(Bill No. 23 of 1992)

A

BILL

*further to amend the Goa, Daman and Diu Public Moneys (Recovery of Dues) Act, 1986.*

Be it enacted by the Legislative Assembly of Goa in the Forty-third Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Public Moneys (Recovery of Dues) (Amendment) Act, 1992.

(2) It shall come into force at once.

2. *Amendment of section 3.*— In section 3 and in any other section of the Goa, Daman and Diu Public Moneys (Recovery of Dues) Act, 1986 (Act 10 of 1987), after the words “arrears of land revenue” wherever they occur, the words and figures “under the provisions of the Goa, Daman and Diu Land Revenue Code, 1968 (Act 9 of 1969)” shall be inserted.

**Statement of Objects and Reasons**

As per section 3 of the Goa, Daman and Diu Public Moneys (Recovery of Dues) Act, 1986, the Collector has to recover the amount i.e. the loan or advance or grant given to the parties by the State Government, a Corporation or a Government Company, or a Bank, as arrears of land revenue.

The proposed amendment seeks to make the provision regarding recovery more specific, by providing for recovery as arrears of land revenue under the Goa, Daman and Diu Land Revenue Code, 1968, so that the following purposes are served:—

(1) the Limitation Act will not apply; and (2) an appeal against the decision of the Recovery Officer could be preferred to the Administrative Tribunal, as per the said Code, 1968.

**Financial Memorandum**

No financial implications are involved in this Bill.

**Memorandum on Delegated Legislation**

No delegated legislation is envisaged in this Bill.

Panaji. SHANKAR K. SALGAONKAR  
26th November, 1992 Minister for Revenue

Assembly Hall M. M. NAIK  
Panaji. Secretary to the Legislative  
10th December, 1992 Assembly of Goa.

(Annexure to Bill No. 23 of 1992)

**The Goa Public Moneys (Recovery of Dues) (Amendment) Bill, 1992**

**The Goa, Daman and Diu Public Moneys (Recovery of Dues) Bill, 1992**

Act No. 10 of 1987

3. *Recovery of dues as arrears of land revenue.* (1) Where any person is a party —

(a) to any agreement relating to a loan, advance or grant given to him or relating to credit in respect of, or relating to hire purchase of goods sold to him by the State Government, the Corporation or as the case may be; the Government Company by way of financial assistance; or

(b) to any agreement relating to a loan, advance or grant given to him relating to credit in respect of, or relating to hire purchase of goods sold to him by a Bank or Government Company, as the case may be under Government sponsored scheme; or

(c) to any agreement relating to a guarantee given by the State Government or the Corporation in respect of a loan raised by an industrial concern; or

(d) to any agreement providing that any money payable thereunder to the State Government or the Corporation shall be recoverable as arrears of land revenue; and such person —

(i) makes any default in payment of the loan or advance of any instalment thereof; or

(ii) having become liable under the conditions of the grant to refund the grant or any portion thereof, makes any default in the refund of such grant or portion or any instalment thereof, or

(iii) otherwise fails to comply with the terms of the agreement —

then, in the case of the State Government such Officer as may be authorised in that behalf by the State Government by Notification in the Official Gazette, in the case of a Corporation or a Government Company, the Managing Director thereof or where there is no Managing Director, the Chairman thereof, by whatever name called, and in the case of a Bank, the local agent thereof by whatever name called, may send to the Collector a certificate as early as possible in the prescribed form mentioning the sum due from such person and requesting that such sum may be recovered as if it were an arrear of land revenue.

(2) The Collector on receiving the certificate shall after making such enquiries (including giving hearing to the party affected) as he deems fit proceed to recover the amount stated therein as aforesaid as arrears of land revenue.

(3) On recovery of any amount under sub-section (2), the same shall be paid over to the State Government, Corporation, Government Company or as the case may be, bank after deducting, except in the case of amount to be paid to the State Government, such portion of the amount realised, as cost of collection, as the Collector, may deem to be reasonable.

(4) No suit for the recovery of any such due as aforesaid shall lie in a Civil Court against any person referred to in sub-section (1) and no injunction shall be granted by a Civil Court in respect of any action taken or intended to be taken in pursuance of the right conferred by this section.

Assembly Hall  
Panaji  
10th December, 1992.

M. M. NAIK  
Secretary to the Legislative  
Assembly of Goa

LA/B/4811/1991

(Annexure to Bill No. 24 of 1992)

The following Bill which was introduced in the Legislative Assembly of Goa on 16-12-1992 is hereby published for general information in pursuance of the provisions of Rule-136 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

Panaji, 17th December, 1992.

**The Goa Toddy Tappers Welfare Fund (Amendment) Bill, 1992**  
(Bill No. 24 of 1992)

**A**  
**BILL**

*to amend the Goa, Daman and Diu Toddy Tappers Welfare Fund Act, 1984.*

Be it enacted by the Legislative Assembly of Goa in the Forty-third Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Goa Toddy Tappers Welfare Fund (Amendment) Act, 1992.

(2) It shall come into force at once.

2. *Amendment of section 3.*—In the proviso to section 3 of the Goa, Daman and Diu Toddy Tappers Welfare Fund Act, 1984 (Act 17 of 1985) (hereinafter referred to as the 'principal Act'), for the words "two weeks", the words "fourteen days" shall be substituted.

3. *Amendment of section 5.*—In section 5 of the principal Act, after the figures and word "15 paise" and before the words "per tree", the following words and figures shall be inserted, namely:—

"or such amount not less than 15 paise as may be fixed by the Government by notification in the Official Gazette."

4. *Amendment of heading of section 8.*—In the heading of section 8 of the principal Act, for the words "due to", the words "due from" shall be substituted.

**Statement of objects and reasons**

This Bill seeks to amend section 5 of the Act, 1984 in order to enable the Government to fix the rate of contribution payable by the toddy tappers to the Toddy Tappers Welfare Fund. As per the existing provisions enacted in 1984, the rate of contribution payable is 15 paise per tree. It is felt that the Government should be empowered to change the rate of contribution depending on the hike in prices and inflation, on suggestion received from the Toddy Tappers Welfare Fund Board. This amendment is proposed to achieve these objects. The other amendments proposed are to rectify typographical errors.

**Financial Memorandum**

No financial implications are involved at present. However on proposals received from Board, the Government may have to enhance the rate of contribution depending on availability of funds.

Panaji,  
5th December, 1992.  
Assembly Hall,  
Panaji,  
15th December, 1992.

RAVI S. NAIK  
Chief Minister  
M. M. NAIK  
Secretary to the Legislative  
Assembly of Goa.

**The Goa Toddy Tappers Welfare Fund (Amendment) Bill, 1992**

**The Goa, Daman and Diu Toddy Tappers Welfare Fund Bill, 1984**

3. *Payment of compensation.*—A toddy tapper shall be entitled to compensation in case of an accident in accordance with the Scheme:

Provided that no such compensation shall be payable in respect of any injury which results in the disablement of the toddy-tapper for a period of less than two weeks.

4. *Toddy Tapper Welfare Fund.*—(1) The Government may, by notification in the Official Gazette and after consultation with such recognised toddy-tappers associations as it may deem fit frame a Scheme to be called "the Toddy Tappers Welfare Fund Scheme" and also establish a Fund in accordance with the provisions of this Act and the Scheme.

(2) The Fund shall vest in, and be administered by the Board constituted under section 6.

(3) Subject to the provisions of this Act, the Scheme framed under sub-section (1) may provide for all or any of the matters specified in the Schedule.

5. *Contribution to the Fund.*—The contributions which shall be made by toddy tappers to the Fund shall be 15 paise per tree per month and equal contribution shall be made by the Government:

Provided that where the amount of any such contribution is in a fraction of a rupee, it shall be rounded to the nearest rupee.

6. *Constitution of Board.*—(1) The Government may, by notification in the Official Gazette, constitute with effect from such date as may be specified therein, a Board to be called the Toddy Tappers Welfare Fund Board for the administration of the Fund.

(2) The Board shall consist of such number of members as may be appointed by the Government from time to time in such manner as may be provided for in the Scheme.

(3) One of the members of the Board shall be appointed by the Government as Chairman and another member as Member-Secretary.

(4) The Board shall be a body corporate having perpetual succession and a common seal and may sue or be sued in its corporate name and shall be competent to acquire, hold or dispose of property and to execute contracts and to do all things necessary for the purposes of this Act.

(5) The Board shall administer the Fund vested in it in such manner as may be specified in the Scheme.

7. *Appointment of staff.*—(1) The Board may, with the previous approval of the Government, appoint such staff as it may consider necessary.

(2) The method of recruitment, salary and allowances and other conditions of service of the staff of the Board shall be such as may be specified by the Board with the previous approval of the Government.

8. *Determination of amounts due to toddy tappers.*—The Board may, by order, determine the amount due from any toddy tapper under the provisions of this Act or of the Scheme and for this purpose, may, direct the Member-Secretary to conduct such inquiry as it may deem necessary:

Provided that no order determining the amount due from the toddy tapper shall be made unless the toddy tapper has been given a reasonable opportunity of being heard.

Assembly Hall,  
Panaji,  
14th December, 1992.

M. M. NAIK  
Secretary to the Legislative  
Assembly of Goa.